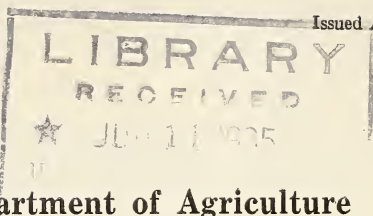


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United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICE OF JUDGMENT UNDER THE REGULATIONS OF THE NAVAL STORES ACT

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 15, 1935]

6. Adulteration of turpentine. U. S. v. David L. Hanson. Plea of nolo contendere. Defendant placed on probation. (N. S. no. 8. Sample no. 39459-A.)

This case was based on a shipment in interstate commerce of a product described as "Steam Distilled Turpentine"; i. e., steam-distilled wood turpentine, an article defined by the Naval Stores Act, which was found to consist of a mixture of mineral oil and sulphate wood turpentine, and was consequently not steam-distilled wood turpentine, and was not an article of naval stores of United States standard.

On July 20, 1934, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against David L. Hanson, Salisbury, N. C., alleging shipment by said defendant, on or about January 26, 1934, from the State of North Carolina into the State of South Carolina, of a quantity of a product described in the bill of lading and waybill as "turpentine", and invoiced as "Steam Distilled Turpentine", which was not steam-distilled turpentine as defined by the Naval Stores Act.

The information charged that the use in commerce of the word "turpentine" singly and in the combination of words, "Steam Distilled Turpentine", in the offering for sale, sale, and shipment of the article, was in violation of the said act in that by such use the article was represented to be naval stores of the United States standard, namely, "steam distilled wood turpentine", which is defined in said act as "wood turpentine distilled with steam from the oleoresin within or extracted from the wood"; whereas it was not steam-distilled wood turpentine as so refined, and was not an article of naval stores of the said United States standard, but was composed principally of mineral oil, a nonnaval stores substance, with some sulphate wood turpentine present. It was further charged that the use in commerce of the word "turpentine", singly and in the combination of words "Steam Distilled Turpentine", in the offering for sale, sale, and shipment of the article, constituted a false, misleading, and deceitful means and practice in the sale of an article offered as naval stores, in that by means thereof the article was represented to be naval stores of the United States standard, namely, steam-distilled wood turpentine; whereas it was not steam-distilled wood turpentine, and was not an article of naval stores, but consisted principally of mineral oil, with some sulphate wood turpentine present, and contained no steam-distilled turpentine.

On October 15, 1934, the defendant entered a plea of nolo contendere, and was placed on probation for 2 years.

M. L. WILSON, *Acting Secretary of Agriculture.*

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